Attorney General - Budget No. 125 House Bill No. 1003 Base Level Funding Changes

Reflecting Discussion Through: 4/19/2021

Other Sections in Attorney General - Budget No. 125

Appropriation - Additional federal funds or other federal funds

Section 3 appropriates \$250,000 from federal or other funds to the Attorney General for the purpose of defraying the expenses of the Attorney General for the 2021-23 biennium. The Attorney General is required to report to the Office of Management and Budget and the Legislative Council on the availability of this funding.

Appropriation - 2019-21 biennium - Sexual assault evidence collection kit tracking system - Drug analyzers - Exemption - One-time funding

Transfer - Lawsuit settlement proceeds - Opioid addiction prevention and treatment program - Appropriation - Department of Human Services - One-Time Funding - Report

Strategic investment and improvements fund and requires the Attorney General to transfer funds from this line item to eligible state agencies for litigation expenses during the 2021-23 biennium.

Estimated income - Exemption - Use of gaming tax allocation fund - Litigation pool to

agencies - One-time funding

Strategic investment and improvements fund - Transfer - Litigation pool to state Section 4 identifies \$3 million of one-time funding in the

statewide litigation funding pool line item in Section 1 is from the

state agencies - One-time funding.

Estimated income - Charitable gaming technology system

Section 3 appropriates \$250,000 from federal or other funds to the Attorney General for the purpose of defraying the expenses of the Attorney General for the 2021-23 biennium. The Attorney General is required to report to the Office of Management and Budget and the Legislative Council on the availability of this funding.

Section 4 provides a 2019-21 biennium supplemental appropriation of \$355,000 to the Attorney General from federal funds, of which \$255,000 is for the development and implementation of a sexual assault evidence collection kit tracking system and \$100,000 is for drug analyzers received from the Department of Transportation and granted to the Attorney General. The section includes an exemption to allow the Attorney General to continue the funding into the 2021-23 biennium. Section 26 declares this section to be an emergency measure.

Section 5 provides for a transfer of up to \$2,000,000 from opioid related lawsuit settlement proceeds deposited in the Attorney General refund fund to the Department of Human Services, which is appropriated to the Department of Human Services for the purposes of defraying the expenses of an opioid addiction prevention and treatment program during the 2021-23 biennium. The Department of Human Services is required to consult with the Attorney General regarding the use of this funding. The Attorney General is required to notify the Legislative Council and the Office of Management and Budget of any lawsuit settlement proceeds that become available for transfer to the Department of Human Services for this program.

Section 6 identifies \$4 million of one-time funding in the statewide litigation funding pool line item in Section 1 is from the strategic investment and improvements fund and requires the Attorney General to transfer funds from this line item to eligible state agencies for litigation expenses during the 2021-23 biennium.

gaming tax allocati \$3-06.1-12 and aft Section 15, the A eligible state agenv biennium. The Att judgements under sallocation 7 identifies \$475,000 in Section 1 is from the gaming tax election 8 identifies the continued development and implementation of the charitable gaming technology system during the 2021-23 biennium.

Conference Committee Version

Section 3 appropriates \$250,000 from federal or other funds to the Attorney General for the purpose of defraying the expenses of the Attorney General for the 2021-23 biennium. The Attorney General is required to report to the Office of Management and Budget and the Legislative Council on the availability of this funding.

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Section 6 identifies \$3 million of one-time funding in the statewide litigation funding pool line item in Section 1 is from the strategic investment and improvements fund and requires the Attorney General to transfer funds from this line item to eligible state agencies for litigation expenses during the 2021-23 biennium.

Section 7 identifies \$1.65 million of one-time funding from the gaming tax allocation fund and provides notwithstanding Section 53-06.1-12 and after the distribution of the funding authorized in Section 15, the Attorney General may transfer this funding to eligible state agencies for litigation expenses during the 2021-23 biennium. The Attorney General may not use the funding to pay judgements under Section 32-12-04.

Section 8 identifies \$475,000 in Section 1 is from the charitable gaming operating fund for the purpose of defraying expenses related to the continued development and implementation of the charitable gaming technology system during the 2021-23 biennium.

Other Sections in Attorney General - Budget No. 125

Human trafficking victims grant program

Forensic nurse examiners grant program

Section 5 identifies \$1,101,834 from the general fund in Section

to report to the Attorney General and the Appropriations 1 for the purpose of providing grants to organizations involved in during the 2021-22 interim on the status and results of the grant organization that receives a grant under this section is required programs promoting positive outcomes for victims. for law enforcement, support of advocacy services, and grants for the development and implementation of direct care providing prevention and treatment services related to human General is required to report to the Legislative Management funds received and the outcomes of its program. The Attorney Committees of the 68th Legislative Assembly on the use of the emergency or long-term crisis services, residential care, training 2021-23 biennium. The Attorney General is allowed to provide and related administrative costs for the Any program.

1 for the purpose of providing forensic nurse examiner program grants for community-based or hospital-based sexual assault Section 6 identifies \$250,674 from the general fund in Section which includes nurses, the hospital or clinic, law enforcement, and documentation of collaborative efforts to assist victims services related to sexual assault nurse examiner programs, nurses trained, the number and location of nurses providing the use of the funds received and the outcomes of its programs. this section is required to report to the Attorney General and the examiner programs and related administrative costs for the and state's attorneys. Committees of the 68th Legislative Assembly on the number of Appropriations Committees of the 68th Legislative Assembly on 2021-23 biennium. Any organization that receives a grant under The Attorney General is required to report to Appropriations

Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund Estimated income - Salary equity increases - Attorney General refund fund - Reduced Section 7 identifies \$1,133,232 in the estimated income line

during the 2021-22 interim on the status and results of the grant Section 8 identifies \$1,101,879 from the general fund in Section to report to the Attorney General and the Appropriations organization that receives a grant under this section is required programs promoting positive outcomes Committees of the 68th Legislative Assembly on the use of the for law enforcement, support of advocacy services, emergency or long-term crisis services, residential care, training grants for the development and implementation of direct care trafficking victims and related administrative costs for the providing prevention and treatment services related to human 1 for the purpose of providing grants to organizations involved in General is required to report to the Legislative Management funds received and the outcomes of its program. The Attorney 2021-23 biennium. The Attorney General is allowed to provide for victims.

Section 9 identifies \$250,691 from the general fund in Section which includes nurses, the hospital or clinic, law enforcement grants for community-based or hospital-based sexual assault and documentation of collaborative efforts to assist victims nurses trained, the number and location of nurses providing Committees of the 68th Legislative Assembly on the number of Appropriations Committees of the 68th Legislative Assembly on this section is required to report to the Attorney General and the 1 for the purpose of providing forensic nurse examiner program and state's attorneys. services related to sexual assault nurse examiner programs The Attorney General is required to report to Appropriations the use of the funds received and the outcomes of its programs 2021-23 biennium. Any organization that receives a grant under examiner programs and related administrative costs for the

of Criminal Investigation and Medicaid Fraud Control Unit \$1,249,083 is from the Attorney General refund fund for Bureau Attorney General staff during the 2021-23 biennium, of which item in Section 1 is for providing salary equity increases to Section 10 identifies \$1,374,989 in the estimated income line Propensity and Firefighter Protection Act enforcement fund for positions and \$125,906 is from the Reduced Cigarette Ignition Fire Marshal office positions.

Marshal office positions, for the 2021-23 biennium.

Medicaid Fraud Control Unit positions and \$125,906 is for Fire which \$1,007,326 is for Bureau of Criminal Investigation and providing salary equity increases to Attorney General staff, of

item in Section 1 is from the Attorney General refund fund for

Conference Committee Version

during the 2021-22 interim on the status and results of the grant to report to the Attorney General and the Appropriations organization that receives a grant under this section is required 1 for the purpose of providing grants to organizations involved in Section 9 identifies \$1,101,879 from the general fund in Section General is required to report to the Legislative Management funds received and the outcomes of its program. The Attorney Committees of the 68th Legislative Assembly on the use of the programs promoting positive outcomes for victims. for law enforcement, emergency or long-term crisis services, residential care, training grants for the development and implementation of direct care 2021-23 biennium. The Attorney General is allowed to provide trafficking victims and related administrative costs for the providing prevention and treatment services related to human support of advocacy services, Any and

Any and

includes nurses, the hospital or clinic, law enforcement, 1 for the purpose of providing forensic nurse examiner program state's attorneys. documentation of collaborative efforts to assist victims which services related to sexual assault nurse examiner programs, and nurses trained, the number and location of nurses providing Committees of the 68th Legislative Assembly on the number of The Attorney General is required to report to Appropriations the use of the funds received and the outcomes of its programs Appropriations Committees of the 68th Legislative Assembly on this section is required to report to the Attorney General and the 2021-23 biennium. Any organization that receives a grant under examiner programs and related administrative costs for the grants for community-based or hospital-based sexual assault Section 10 identifies \$250,691 from the general fund in Section and

Propensity and Firefighter Protection Act enforcement fund for of Criminal Investigation and Medicaid Fraud Control Fire Marshal office positions positions and \$125,906 is from the Reduced Cigarette Ignition \$1,249,083 is from the Attorney General refund fund for Bureau Attorney General staff during the 2021-23 biennium, of which item in Section 1 is for providing salary equity increases to Section 11 identifies \$1,374,989 in the estimated income line Unit

Legislative intent - Attorney General - Salary equity increases - Investment of lawsuit Section 8 allows the Attorney General to invest up to \$2,266,464 settlement proceeds - State Investment Board

of funding available in the Attorney General refund fund, of increases for the 2021-23 biennium as authorized in Section 7 State Investment Board for the 2021-23 and 2023-25 bienniums. which \$1,160,896 is derived from lawsuit settlement proceeds

Allocations - Transfer to the general fund Gaming tax - Gaming tax allocation fund - Attorney general - State Treasurer -

Attorney General salary

Criminal history record checks - Fees

Exemption - Contingent fee arrangement

Exemption - Gaming tax revenue grants

Exemption - Attorney General refund fund

Exemption - Reduced Cigarette Ignition Propensity and Firefighter Protection Act

enforcement fund

and for the cost to continue the salary equity increases during investment earnings on the funding be retained in the Attorney earnings on the settlement amount, under the supervision of the General refund fund in January 2021 and any investment General refund fund for the purpose of providing salary equity eceived by the Attorney General and deposited in the Attorney egislative intent is provided that this funding and any

reflect the 1.5 percent annual salary increase approved by the effective July 1, 2021, and \$168,333 effective July 1, 2022, to General's annual salary to increase from \$163,394 to \$165,845 Section 9 amends Section 54-12-11 to provide for the Attorney

reasonable fee as determined by the Attorney General. The funding must be deposited in the state general fund during the record check from the Bureau of Criminal Investigation to pay a Section 10 requires any person or entity requesting a criminal

Attorney General may contract for legal services that are Section 15 provides, notwithstanding Section 54-12-08.1, the

through October 31, 2021. 2019-21 biennium gaming tax revenues to cities and counties Attorney General may distribute quarters seven and eight

biennium to be used during the 2021-23 biennium, rather than the Attorney General refund fund at the end of the 2019-21 transferring the balance to the general fund.

Section 11 allows the Attorney General to invest up to \$2.577,624 of funding in the Attorney General refund fund, which is derived from lawsuit settlement proceeds received by the Attorney General and was deposited in the Attorney General refund fund in January 2021 (\$1,160,896) and March 2021 amount, and \$251,812 of funding in the Reduced Cigarette funding be retained in the Attorney General refund fund and provided that this funding and any investment earnings on the the 2021-23 and 2023-25 bienniums. Legislative intent is Ignition Propensity and Firefighter Protection Act enforcement (\$1,416,728) and any investment earnings on the settlement the 2023-25 biennium. and for the cost to continue the salary equity increases during increases for the 2021-23 biennium as authorized in Section 10 Act enforcement fund for the purpose of providing salary equity fund, under the supervision of the State Investment Board for Reduced Cigarette Ignition Propensity and Firefighter Protection

Section 12 amends Section 53-06.1-12 to authorize the Attorney General to use gaming tax revenues for the administration and operating costs of the Gaming Division.

Section 13 amends Section 54-12-11 to provide for the Attorney General's annual salary to increase from \$163,394 to \$165,845 effective July 1, 2021, and \$169,162 effective July 1, 2022, to

Section 14 requires any person or entity requesting a criminal reflect annual salary increases of 1.5 percent and 2 percent.

reasonable fee as determined by the Attorney General. The funding must be deposited in the state general fund during the record check from the Bureau of Criminal Investigation to pay a

2023. Section 26 declares this section an emergency measure. compensated by a contingent fee arrangement, relating to Section 16 provides, notwithstanding Section 53-06.1-12, the beginning with the effective date of this Act and ending June 30, ongoing multi-state technology litigation, during the period

Section 17 allows the Attorney General to retain the balance in

the Attorney General refund fund at the end of the 2019-21 biennium to be used during the 2021-23 biennium, rather than

transferring the balance to the general fund

Section 11 allows the Attorney General to retain the balance in

Reduced Cigarette Ignition Propensity and Firefighter Protection increases to Fire Marshal office positions during the 2021-23 Act enforcement fund, for the purpose of providing salary equity 18-13-03, the Attorney General may invest \$125,906 from the Section 18 provides, notwithstanding Subsection 6 of Section

Conference Committee Version

and for the cost to continue the salary equity increases during increases for the 2021-23 biennium as authorized in Section 10 enforcement fund for the purpose of providing salary equity Cigarette Ignition Propensity and Firefighter Protection amount, and \$251,812 of funding in the Reduced Cigarette (\$1,416,728) and any investment earnings on the settlement Attorney General and was deposited in the Attorney General is derived from lawsuit settlement proceeds received by the \$2,577,624 of funding in the Attorney General refund fund, which the 2023-25 biennium. retained in the Attorney General refund fund and Reduced that this funding and any investment earnings on the funding be Ignition Propensity and Firefighter Protection Act enforcement refund fund in January 2021 (\$1,160,896) and March 2021 Section 12 allows the Attorney General to invest up 2021-23 and 2023-25 bienniums. Legislative intent is provided und, under the supervision of the State Investment Board for the Act

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record check from the Bureau of Criminal Investigation to pay a funding must be deposited in the state general fund during the reasonable fee as determined by the Attorney General. Section 14 requires any person or entity requesting a criminal The

beginning with the effective date of this Act and ending June 30, 2023. Section 26 declares this section an emergency measure. Section 15 provides, notwithstanding Section 54-12-08.1, the ongoing multi-state technology litigation, during the period compensated by a contingent fee arrangement, relating to Attorney General may contract for legal services that are

2019-21 biennium gaming tax revenues to cities and counties Section 16 provides, notwithstanding Section 53-06.1-12, the through October 31, 2021. Attorney General may distribute quarters seven and eight

biennium to be used during the 2021-23 biennium, rather than the Attorney General refund fund at the end of the 2019-21 Section 17 allows the Attorney General to retain the balance in transferring the balance to the general fund.

increases to Fire Marshal office positions during the 2021-23 Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund, for the purpose of providing salary equity Section 18 provides, notwithstanding Subsection 6 of Section biennium 18-13-03, the Attorney General may invest \$125,906 from the

Other Sections in Attorney General - Budget No. 125

Exemption - Concealed weapon rewrite project

Exemption - Statewide automated victim information and notification program

Exemption - Information technology equipment

Legislative intent - Gaming Division

Legislative Management study - State government attorneys

Legislative Management study - State government litigation funding

Legislative Management study - Charitable gaming laws

Legislative Management study - Gaming addiction and support

House Version

Section 12 allows the Attorney General to continue any remaining funding appropriated from the general fund during the 2015-17 biennium and continued into the 2017-19 and 2019-21 bienniums for a concealed weapon rewrite project into the 2021-23 biennium.

Senate Version

any Section 19 allows the Attorney General to continue any the remaining funding appropriated from the general fund during the 9-21 2015-17 biennium and continued into the 2017-19 and 2019-21 the bienniums for a concealed weapon rewrite project into the 2021-23 biennium.

Section 20 allows the Attorney General to continue any remaining funding appropriated from other funds for the 2017-19 biennium and continued into the 2019-21 biennium for the statewide automated victim information and notification system into the 2021-23 biennium for the legal case management system, which is used to track attorney time and billing within the agency.

Section 21 allows the Attorney General to continue any remaining funding appropriated from the general fund for the 2019-21 biennium for the purchase of information technology equipment into the 2021-23 biennium.

Section 22 provides legislative intent that the Attorney General's Gaming Division be paid for using gaming tax revenues.

Section 23 provides for a Legislative Management study regarding the feasibility and desirability of consolidating attorney and legal related positions in state government. The study must include an analysis of the number of attorney and legal-related positions in state government, the agency the positions are assigned to, the nature of the work performed by the positions, and any efficiencies that may be gained through the consolidation of these positions into the attorney general's office. The study must include consultation with the attorney general and any agency with attorney and legal-related positions in state government authorized for the 2021-23 biennium.

Section 24 provides for a Legislative Management study regarding the feasibility and desirability of consolidating litigation-related funding in state government. The study must include an analysis of litigation-related funding in state government agency budgets, including the nature and source of funding for the litigation and any efficiencies that may be gained through the consolidation of the litigation funding into the attorney general's office. The study must include consultation with the attorney general and any agency with litigation-related funding appropriated for the 2021-23 biennium.

Section 25 provides for a Legislative Management study regarding the state's charitable gaming taxation laws and the use of net proceeds for eligible organizations.

Conference Committee Version

Section 19 allows the Attorney General to continue any remaining funding appropriated from the general fund during the 2015-17 biennium and continued into the 2017-19 and 2019-21 bienniums for a concealed weapon rewrite project into the 2021-23 biennium.

Section 20 allows the Attorney General to continue any remaining funding appropriated from other funds for the 2017-19 biennium and continued into the 2019-21 biennium for the statewide automated victim information and notification system into the 2021-23 biennium for the legal case management system, which is used to track attorney time and billing within the agency.

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Section 23 provides for a Legislative Management study regarding the feasibility and desirability of consolidating attorney and legal related positions in state government. The study must include an analysis of the number of attorney and legal-related positions in state government, the agency the positions are assigned to, the nature of the work performed by the positions, and any efficiencies that may be gained through the consolidation of these positions into the attorney general and any agency with attorney and legal-related positions in state government authorized for the 2021-23 biennium.

Section 24 provides for a Legislative Management study regarding the feasibility and desirability of consolidating litigation-related funding in state government. The study must include an analysis of litigation-related funding in state government agency budgets, including the nature and source of funding for the litigation and any efficiencies that may be gained through the consolidation of the litigation funding into the attorney general's office. The study must include consultation with the attorney general and any agency with litigation-related funding appropriated for the 2021-23 biennium.

Section 25 provides for a Legislative Management study regarding the state's charitable gaming taxation laws and the use of net proceeds for eligible organizations.

Section 26 provides for a Legislative Management study regarding economic and societal impacts of gambling addiction in the state. The study must include a review of the trend of gambling addiction since the expansion of electronic pull tab gambling in the state, state funding provided for gambling addiction and disorder prevention and treatment, and support programs for individuals and families affected by gambling addiction.

Senate Version

Section 26 declares sections 4 and 15 an emergency measure.

Section 27 declares sections 4 and 15 an emergency measure.